

10/500938

DT04 Rec'd PCT/PTO 08 JUL 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re: Attorney Docket No. 1053.001B

In re application of: Gary W. Elko, Robert A. Kubli, and Jens M. Meyer

Serial No.: Not Yet Assigned

Group No.: Not Yet Assigned

Filed: Not Yet Assigned

Examiner: Not Yet Assigned

For: Audio System Based on at Least Second-Order Eigenbeams

### INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In accordance with 37 CFR § 1.56, this is an Information Disclosure Statement (IDS) for the above-captioned U.S. patent application. An IDS Form PTO-1449 listing references is enclosed herewith and forms a part hereof. Submission of references is not an admission that those references are in fact prior art.

#### Certification Under 37 CFR § 1.704(d)

[ ] Each item of information contained in this statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of this statement.

#### Certification Under 37 CFR § 1.97(e)

[ ] Each item of information contained in this statement was either (1) cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement or (2) not known to any individual designated in § 1.56(c) more than three months prior to the filing of this statement.

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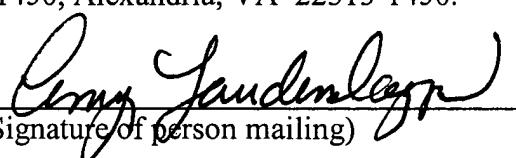
#### Certification Under 37 CFR 1.10

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Date of Deposit 07/08/2004

I hereby certify that this paper or fee is being deposited with the United States Postal Service's "Express Mail Post Office To Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Amy Laudenslager  
(Name of person mailing)

  
(Signature of person mailing)

[ ] The fee for submission of this IDS under § 1.97(c) is \$180.00 as set forth in § 1.17(p).

Petition Under 37 CFR § 1.97(d)

[ ] This is a petition requesting consideration of an IDS under § 1.97(d). The petition fee for submission of this IDS under § 1.97(d) is \$180.00 as set forth in § 1.17(p).

Provision of Copies of References

[X] A copy of each of the listed references is enclosed herewith and forms a part hereof.

[ ] A translation of each of Reference(s) \_\_ is enclosed herewith and forms a part hereof.

[X] A copy of the International Search Report from a corresponding PCT application is enclosed herewith.

[ ] A copy of the European Search Report from a corresponding EPO application is enclosed herewith.

[ ] A copy of the final U.S. office action for U.S. patent application no. \_\_\_\_\_ filed on \_\_\_\_\_  
as attorney docket no. (Case name or our ref.)

[ ] The above-captioned U.S. patent application is a

[ ] continuation

[ ] divisional

[ ] continuation-in-part

application of U.S. application serial number \_\_\_, filed on \_\_\_ as Attorney Docket No. \_\_\_\_\_.  
Each of the listed references was previously cited by or submitted to the Office in the prior application. The above-captioned U.S. patent application relies upon the prior application for an earlier filing date under 35 U.S.C. 120. Pursuant to § 1.98(d), copies of the listed references are not being provided with this IDS.

Authorization To Charge Deposit Account

[X] Authorization is given to charge the deposit account of **Mendelsohn & Associates, P.C. Deposit Account No. 50-0782** for any fee under § 1.97(c) or § 1.97(d).

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449 form as confirmation that each of the documents has been considered.

Respectfully submitted,



Steve Mendelsohn  
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Date: 7/8/04

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Enclosures

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE (Rev. 2-32) PATENT AND TRADEMARK OFFICE		ATTY. DOCKET NO.	SERIAL NO. <b>107500938</b> Not yet assigned
INFORMATION DISCLOSURE STATEMENT BY APPLICANT  (Use several sheets if necessary)		1053.001B APPLICANT	Gary W. Elko, Robert A. Kubli, and Jens Meyer FILING DATE December 10, 2002
			GROUP Not yet assigned

**FOREIGN PATENT DOCUMENTS.**

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)**


EXAMINER	DATE CONSIDERED
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**EXAMINER:** Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1053.001B